

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Susan P. Combs

909 Isabell Drive
Dandridge, TN 37725

SCDOI File Number 2003-116607

**Default Order Revoking
Insurance Agent's License**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (2002), by the State of South Carolina Department of Insurance upon Susan P. Combs, a licensed South Carolina non-resident insurance agent, by both certified mail, return receipt requested, and by regular mail on March 24, 2003.

That letter informed Susan Combs of her right to request a public hearing upon the allegations of impropriety contained within the letter against her. The letter further warned that her failure to make a timely, written request would result in my summary revocation of her license to do business as a non-resident insurance agent within the State of South Carolina. Despite that warning, as of May 14, 2003, Susan Combs had neither timely answered nor requested a public hearing. On that day, therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a insurance agent within the State of South Carolina for Travelers Indemnity Company, Susan Combs did incur into the action of 'misstatement of facts' (or aided in the misstatement of facts) in several applications for insurance policies, "failing to disclose pertinent underwriting information".

S.C. Code Ann. § 38-43-130(1) (2002) provides "the Director or his designee may revoke or suspend an agent's license after ten day's notice...when it appears that an agent...has willfully deceived or dealt unjustly with the citizens of this State." Misstating the facts in an application for insurance or aiding in the misstatement of the facts clearly constitutes "deceiving or dealing unjustly with the citizens of this state."

In accordance with my findings of fact, and considering Susan Combs' complete refusal to avail herself of her opportunity to be heard, I now conclude, as a matter of law, that Susan Combs willfully deceived and dealt unjustly with the citizens of South Carolina, thereby violating S.C. Code Ann. § 38-43-130 (2002) and that her insurance agent's license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and 2002). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (4) (2002).

It is therefore ordered that Susan P. Combs' license to transact business as a insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to her.

It is further ordered that a copy of this order shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Susan Combs is currently licensed, through the State of South Carolina Department of Insurance, as a non-resident insurance agent within the State of South Carolina.

This order becomes effective as of the date of my signature below.

A handwritten signature in black ink, appearing to read "E.N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

14 May 2003, at
Columbia, South Carolina

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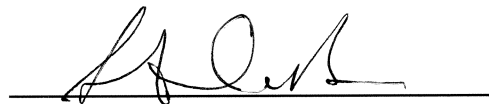
Affidavit of Default

Personally appeared before me T. Douglas Concannon, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was an attorney representing the State of South Carolina Department of Insurance in this administrative action. He further stated the following:

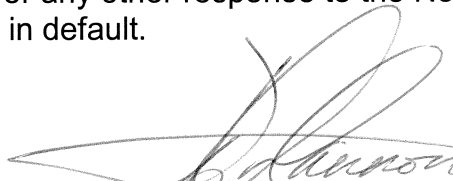
The Department served notice on Ms. Susan P. Combs at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke her license to act as a resident insurance agent within the State of South Carolina in thirty days. The Department served the Notice, pursuant to § 38-3-170 of the South Carolina Code, by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." That Notice further informed Ms. Combs of her opportunity, within thirty days, to request in writing a public hearing.

The United States Postal Service effected service of the Notice by certified mail, return receipt requested, and by regular mail, on or about April 9, 2003. Susan Combs has made no request for a public hearing or any other response to the Notice. The time in which to do so has expired. She is now in default.

Sworn to and subscribed before me
this 14 day of May, 2003.



Steven R. DuBois
Notary Public for the State of South Carolina
My Commission Expires May 10, 2009



T. Douglas Concannon
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